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8 Attorneys for Debtor in Possession

9 **UNITED STATES BANKRUPTCY COURT**

10 **CENTRAL DISTRICT OF CALIFORNIA – SAN FERNANDO VALLEY DIVISION**

11 In Re

12 SCOTT ROSENBERG

13 Debtor in Possession.

Case No.: 1:22-bk-11305-MB

Chapter 11

14 **DECLARATION OF DEBTOR**
15 **SUPPORTING STATUS REPORT**
16 **COMPLYING WITH ORDER SETTING**
17 **SCHEDULING AND CASE**
18 **MANAGEMENT CONFERENCE**

19 Hearing:

Date: January 24, 2023

Time: 1:30 pm

Location: Zoom.gov

20 Url: <https://cacb.zoomgov.com/j/1604386813>

Meeting ID: 160 438 6813

Password: 514975

21 Phone Options: 1 (669) 254 5252 or 1 (669)

828-7666

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24 I, Scott Rosenberg, do hereby declare and say as follows:

- 25 1. I am over eighteen (18) years of age and a citizen of the United States of America. I make
26 this Declaration based upon the following facts, all of which are within my personal
27 knowledge or belief. As to all matter alleged on information and belief, I believe them to
28

1 be true. If called upon as a witness, I could and would competently testify thereto.

2 2. I am the debtor and debtor in possession in the above-captioned bankruptcy case. On
3 November 9th, 2022 (the "Petition Date"), I caused to be filed the voluntary petition for
4 relief under Chapter 11 of Title 11 of the United State Bankruptcy Code. I signed the
5 voluntary petition.
6

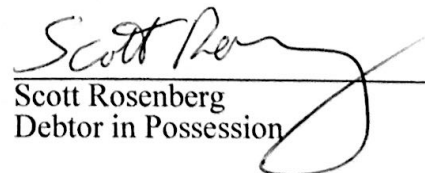
7 3. I reviewed this Court's ORDER SETTING SCHEDULING AND CASE MANAGEMENT
8 CONFERENCE entered on November 29, 2022, as ECF No. 19. Attached as Exhibit 1 to
9 this declaration is a true and correct copy of ECF No. 19.
10

11 4. A true and correct copy of Schedule A/B of my bankruptcy schedules are attached as
12 Exhibit 2.

13 5. My bankruptcy counsel prepared **STATUS REPORT COMPLYING WITH ORDER**
14 **SETTING SCHEDULING AND CASE MANAGEMENT CONFERENCE** (the
15 "Report") that I reviewed and believe to be accurate.
16

17 I declare under penalty of perjury under the laws of the United States of America that the
18 foregoing is true and correct.

19 Executed this 9th day of January 2023 at Los Angeles, California.
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23 Scott Rosenberg
24 Debtor in Possession
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Attached as Exhibit 1 to this declaration is a true and correct copy of ECF No. 19.

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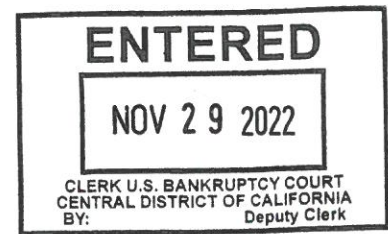
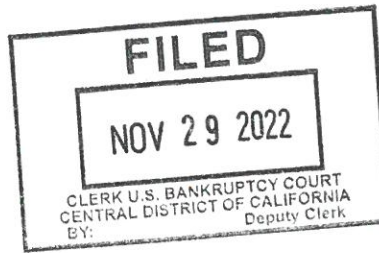
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UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
SAN FERNANDO VALLEY DIVISION

In re:

SCOTT ROSENBERG,

Debtor.

Case No.: **1:22-bk-11305-MB**

Chapter 11

**ORDER SETTING SCHEDULING AND
CASE MANAGEMENT CONFERENCE**

Hearing

Date: **January 24, 2023**

Time: **1:30 P.M.**

The hearing will be conducted remotely, using
ZoomGov video and audio:

URL:

<https://cacb.zoomgov.com/j/1604386813>

Meeting ID: **160 438 6813**

Password: **514975**

Telephone Numbers: **1 (669) 254 5252**
or **1 (646) 828 7666**

1 **PLEASE TAKE NOTICE** that, pursuant to 11 U.S.C. § 105(d), and (if applicable) 11
2 U.S.C. § 1188(a), the Court will conduct a status conference in this case on the date and time set
3 forth above.

4 **PLEASE TAKE FURTHER NOTICE** that, based upon the Court's records and evidence
5 presented at the status conference, the Court may do one or more of the following at the status
6 conference (or at any continued hearing) without further notice:

- 7 A. Dismiss the case;
- 8 B. Convert the case to another chapter;
- 9 C. Order the appointment of a chapter 11 trustee;
- 10 D. Establish deadlines for the filing of claims, requests for payment of expenses of
11 administration and/or objections to claims;
- 12 E. Set deadlines for filing or soliciting acceptances of a proposed plan and (if
13 applicable) a disclosure statement by the debtor or any other party in interest;
- 14 F. Fix the scope and format of the notice to be provided regarding the hearing on
15 approval of the disclosure statement (if applicable);
- 16 G. Provide that the hearing on approval of the disclosure statement (if applicable) may
17 be combined with the hearing on confirmation of the plan;
- 18 H. Set a deadline for confirmation of a plan;
- 19 I. Set deadlines for compliance with reporting and other chapter 11 debtor in
20 possession requirements;
- 21 J. Set deadlines for the assumption or rejection of executory contracts or unexpired
22 leases; and/or
- 23 K. Refer matters to mediation.

24 **IT IS ORDERED** as follows:

- 25 1. Not less than fourteen calendar days prior to the date scheduled for the initial status
26 conference, the debtor in possession shall serve a copy of this Order on the United States Trustee,
27 all secured creditors, any creditors committee or equity committee appointed in the case and
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1 counsel for any such committees (or the 20 largest unsecured creditors, if no creditors committee
2 has been appointed), and any parties requesting notice pursuant to Local Bankruptcy Rule 2002-
3 1(b) or Local Bankruptcy Rule 2002-1(e). In addition to the parties listed above, subchapter V
4 small business debtors are required to serve a copy of this Order on the subchapter V trustee. In
5 cases which are **not** small business cases in which a chapter 11 trustee has been appointed, the
6 chapter 11 trustee shall serve this Order as required above. For a definition of *small business*
7 *debtor*, see 11 U.S.C. § 101(51D).

8 2. Not less than fourteen calendar days prior to the date scheduled for every initial or
9 continued status conference, the debtor in possession shall file and serve a written status report on
10 the parties identified in paragraph 1, unless the Court has expressly relieved the debtor in
11 possession of the obligation to file a written status report. Subchapter V small business debtors
12 are required to use the Court's mandatory form F 2015.3-SUBV.STATUS.RPT. Failure to timely
13 file a status report may result in sanctions including dismissal, conversion, or the appointment of a
14 trustee. In addition to the parties listed above, subchapter V small business debtors are required to
15 serve a copy of this Order on the subchapter V trustee. In cases which are **not** small business
16 cases in which a chapter 11 trustee has been appointed, the chapter 11 trustee shall serve this
17 Order and the requisite status reports. Unless otherwise ordered by the Court, for debtors who are
18 not subchapter V small business debtors, each chapter 11 status report must contain the following:

- 19 (a) A brief description of the debtor's business and operations, if any, and the
20 principal assets and liabilities of the estate.
- 21 (b) Brief answers to the following questions:
- 22 (1) What precipitated the filing of this case?
- 23 (2) What does the debtor hope to accomplish in this case?
- 24 (3) What are the principal business and financial problems facing the
25 debtor and how does the debtor intend to address these problems?
- 26
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- (4) What are the main legal disputes facing the debtor and likely to be encountered during this case, and how does the debtor recommend that these disputes be resolved?
 - (5) What is the debtor's estimate regarding timing for confirmation of a plan?
 - (6) Is the debtor a "health care business" as defined in 11 U.S.C. § 101(27A)?
 - (7) Is the debtor a small business debtor as defined in 11 U.S.C. § 101(51D)?
 - (8) Is this case a single asset real estate case as contemplated in 11 U.S.C. § 101(51B)?
 - (9) Has the debtor complied with all of its duties under 11 U.S.C. §§ 521, 1106, 1107, and (if applicable) 1116, F.R.B.P. 1007 and all applicable guidelines of the Office of the United States Trustee?
 - (10) Do any parties claim an interest in cash collateral of the debtor? Is the debtor using cash that any party claims as its cash collateral, and if so, on what date did the debtor obtain an order authorizing the use of such cash or the consent of the party?
- (c) The identity of all professionals retained or to be retained by the estate, the dates on which applications for the employment of such professionals were filed or submitted to the United States Trustee, the dates on which orders were entered regarding such applications (if any), and a general description of the services to be rendered by each such professional. The initial status report should include an estimate of the expected amount of compensation for each professional. Subsequent status reports should provide estimates of the amounts actually incurred, as well as updated estimates of the additional fees and expenses anticipated.

- (d) Evidence regarding projected income, expenses, and cash flow. In the initial status report, this should cover the first six months of the case and contain a comparison to actual results for the 12 months preceding the filing of the case. For all small business debtors, in addition to projections for the first six months of the case, the initial status report must identify the docket number of any previously filed financial statements required under 11 U.S.C. § 1116(1). In subsequent reports, this should show actual performance during the case, a comparison to the debtor's postpetition budget, and a projection of six months going forward.
- (e) In the initial status report, proposed deadlines for the filing of claims. In subsequent reports, the status of efforts to resolve and/or object to claims.
- (f) A discussion of the unexpired leases and executory contracts to which the debtor is a party, including the debtor's intentions, a proposed timetable for addressing such leases and contracts, and the status of those efforts.
- (g) In the initial status report, whether the debtor anticipates the sale of any estate assets by motion or in connection with a plan. In subsequent reports, the status of those efforts.
- (h) In the initial status report, a proposed deadline for the filing of a disclosure statement (if applicable) and plan, as well as a description any progress made towards developing and/or negotiating a plan. For subchapter V small business debtors, the deadline to file a plan is 90 days after the petition date pursuant to 11 U.S.C. § 1189(b). Subchapter V small business debtors must detail in their initial status report the efforts they have undertaken and will undertake to attain a consensual plan of reorganization. In subsequent reports, all debtors must provide updates regarding the status of those efforts.

1 3. Subsequent status reports must highlight changes and developments since the
2 previous chapter 11 status reports were filed.

3 4. The debtor, debtor's counsel, the trustee (if applicable) and counsel for creditors'
4 and equity committees, if any, must appear at the status conference.

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10 Dated: 11/29/22



Honorable Martin R. Barash

CERTIFICATE OF MAILING

I Hereby Certify that a copy of the ORDER SETTING SCHEDULING AND CASE MANAGEMENT CONFERENCE attached hereto was served either by Notice of Electronic Filing ("NEF") or by U.S. Mail, as indicated below, to the following parties on November 29, 2022

Electronic Mail Notice List

- **Michael Jay Berger** michael.berger@bankruptcypower.com,
yathida.nipha@bankruptcypower.com;michael.berger@ecf.inforuptcy.com
- **Russell Clementson** russell.clementson@usdoj.gov
- **Arvind Nath Rawal** arawal@aisinfo.com
- **Korinny Sanchez** askbk@resurgent.com
- **United States Trustee (SV)** ustpreion16.wh.ecf@usdoj.gov
- **Andy C Warshaw** awarshaw@bwlawcenter.com,
Warshaw.AndyB110606@notify.bestcase.com
- **Rebecca J Winthrop** rebecca.winthrop@nortonrosefulbright.com,
evette.rodriquez@nortonrosefulbright.com

U.S. Mail

Dated: 11/29/22

/s/ Julie Cetulio
Courtroom Deputy

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**A true and correct copy of Schedule A/B of my bankruptcy schedules are attached
as Exhibit 2.**

Fill in this information to identify your case and this filing:

Debtor 1 **Scott Rosenberg**
First Name Middle Name Last Name

Debtor 2
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: CENTRAL DISTRICT OF CALIFORNIA

Case number **1:22-bk-11305-MB**

☐ Check if this is an amended filing

Official Form 106A/B Schedule A/B: Property

12/15

In each category, separately list and describe items. List an asset only once. If an asset fits in more than one category, list the asset in the category where you think it fits best. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Each Residence, Building, Land, or Other Real Estate You Own or Have an Interest In

1. Do you own or have any legal or equitable interest in any residence, building, land, or similar property?

- ☒ No. Go to Part 2.
- ☐ Yes. Where is the property?

Part 2: Describe Your Vehicles

Do you own, lease, or have legal or equitable interest in any vehicles, whether they are registered or not? Include any vehicles you own that someone else drives. If you lease a vehicle, also report it on *Schedule G: Executory Contracts and Unexpired Leases*.

3. **Cars, vans, trucks, tractors, sport utility vehicles, motorcycles**

- ☐ No
- ☒ Yes

3.1 Make: **Mercedes**
Model: **550 SL**
Year: **2011**
Approximate mileage: **40000**
Other information:

Who has an interest in the property? Check one

- ☒ Debtor 1 only
- ☐ Debtor 2 only
- ☐ Debtor 1 and Debtor 2 only
- ☐ At least one of the debtors and another

☐ Check if this is community property
(see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?

Current value of the portion you own?

\$19,500.00

\$19,500.00

4. **Watercraft, aircraft, motor homes, ATVs and other recreational vehicles, other vehicles, and accessories**

Examples: Boats, trailers, motors, personal watercraft, fishing vessels, snowmobiles, motorcycle accessories

- ☒ No
- ☐ Yes

5 Add the dollar value of the portion you own for all of your entries from Part 2, including any entries for pages you have attached for Part 2. Write that number here.....=>

\$19,500.00

Part 3: Describe Your Personal and Household Items

Do you own or have any legal or equitable interest in any of the following items?

Current value of the portion you own?
Do not deduct secured claims or exemptions.

Debtor 1 **Scott Rosenberg**

Case number (if known) **1:22-bk-11305-MB**

6. Household goods and furnishings

Examples: Major appliances, furniture, linens, china, kitchenware

☐ No

☒ Yes. Describe.....

General household furniture.

\$500.00

7. Electronics

Examples: Televisions and radios; audio, video, stereo, and digital equipment; computers, printers, scanners; music collections; electronic devices including cell phones, cameras, media players, games

☐ No

☒ Yes. Describe.....

Computer, two phones (on twelve month exchange program), three televisions. No single item exceeds \$650 in value.

\$1,000.00

8. Collectibles of value

Examples: Antiques and figurines; paintings, prints, or other artwork; books, pictures, or other art objects; stamp, coin, or baseball card collections; other collections, memorabilia, collectibles

☐ No

☒ Yes. Describe.....

Miscellaneous posters, art, action figures

\$1,000.00

9. Equipment for sports and hobbies

Examples: Sports, photographic, exercise, and other hobby equipment; bicycles, pool tables, golf clubs, skis; canoes and kayaks; carpentry tools; musical instruments

☐ No

☒ Yes. Describe.....

20 year old elliptical and treadmill

\$1.00

10. Firearms

Examples: Pistols, rifles, shotguns, ammunition, and related equipment

☒ No

☐ Yes. Describe.....

11. Clothes

Examples: Everyday clothes, furs, leather coats, designer wear, shoes, accessories

☐ No

☒ Yes. Describe.....

Everyday wearing apparel

\$725.00

12. Jewelry

Examples: Everyday jewelry, costume jewelry, engagement rings, wedding rings, heirloom jewelry, watches, gems, gold, silver

☒ No

☐ Yes. Describe.....

13. Non-farm animals

Examples: Dogs, cats, birds, horses

☒ No

☐ Yes. Describe.....

14. Any other personal and household items you did not already list, including any health aids you did not list

☒ No

☐ Yes. Give specific information.....

Debtor 1 **Scott Rosenberg**

Case number (if known) **1:22-bk-11305-MB**

15. Add the dollar value of all of your entries from Part 3, including any entries for pages you have attached for Part 3. Write that number here

\$3,226.00

Part 4: Describe Your Financial Assets

Do you own or have any legal or equitable interest in any of the following?

Current value of the portion you own?
Do not deduct secured claims or exemptions.

16. Cash

Examples: Money you have in your wallet, in your home, in a safe deposit box, and on hand when you file your petition

☐ No

☒ Yes.....

Cash

\$2,000.00

17. Deposits of money

Examples: Checking, savings, or other financial accounts; certificates of deposit; shares in credit unions, brokerage houses, and other similar institutions. If you have multiple accounts with the same institution, list each.

☐ No

☒ Yes.....

Institution name:

17.1.	Checking ending 0657	Chase	\$2,037.29
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17.2.	Checking ending 4554	CoAmerica	\$1,897.56
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17.3.	Checking ending 1226	Bank of America	\$2,793.50
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17.4.	EDD		\$0.00
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18. Bonds, mutual funds, or publicly traded stocks

Examples: Bond funds, investment accounts with brokerage firms, money market accounts

☒ No

☐ Yes.....

Institution or issuer name:

19. Non-publicly traded stock and interests in incorporated and unincorporated businesses, including an interest in an LLC, partnership, and joint venture

☐ No

☒ Yes. Give specific information about them.....

Name of entity:

% of ownership:

Walnut Square Apts, LLC	13.66	%	Unknown
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Camino Palmero Apts, LLC is a Delaware Limited Liability Company registered to do business in California as	13.5	%	Unknown
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Redlands, LLC in Delaware operating at 8110 Redlands Apts, LLC in California October 28, 2011 Delaware 8110 Redlands Playa del Rey, CA 90213	10.3125	%	Unknown
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Debtor 1 **Scott Rosenberg**

Case number (if known) **1:22-bk-11305-MB**

RO2 Enterprises, LLC Formed 1/23/2019
California 18960 Ventura Blvd. #1 Tarzana, CA
91356. Business has no revenue, but generates
some small expenses. Debtor does not expect
business to generate revenue. Business value is
zero.

50 %

\$0.00

Scott Rosenberg Irrevocable Trust
Distributions are solely at the discretion of the
Trustee who is directed to make distributions for
the support of the debtor. Current distributions
are \$1,300 per month which is listed as income
on Schedule I.
Additionally, this is a spendthrift trust and is not
property of the bankruptcy estate pursuant to
Section 541(c)(2); it is listed for disclosure
purposes.

Spendthrift
Trust %

\$0.00

Platinum Studios

1.3 %

\$112.00

20. Government and corporate bonds and other negotiable and non-negotiable instruments

Negotiable instruments include personal checks, cashiers' checks, promissory notes, and money orders.
Non-negotiable instruments are those you cannot transfer to someone by signing or delivering them.

☒ No

☐ Yes. Give specific information about them

Issuer name:

21. Retirement or pension accounts

Examples: Interests in IRA, ERISA, Keogh, 401(k), 403(b), thrift savings accounts, or other pension or profit-sharing plans

☒ No

☐ Yes. List each account separately.

Type of account:

Institution name:

22. Security deposits and prepayments

Your share of all unused deposits you have made so that you may continue service or use from a company

Examples: Agreements with landlords, prepaid rent, public utilities (electric, gas, water), telecommunications companies, or others

☐ No

☒ Yes.

Institution name or individual:

Security Deposit

Real Property Management

\$4,300.00

Legal services retainer

Pre-petition retainer with Finlayson, Toffer,
Roosevelt & Tilly, LLP for bankruptcy and
trust related advice
<https://www.ftlfirm.com/>

\$1,500.00

23. Annuities (A contract for a periodic payment of money to you, either for life or for a number of years)

☒ No

☐ Yes..... Issuer name and description.

24. Interests in an education IRA, in an account in a qualified ABLE program, or under a qualified state tuition program.

26 U.S.C. §§ 530(b)(1), 529A(b), and 529(b)(1).

☒ No

☐ Yes..... Institution name and description. Separately file the records of any interests. 11 U.S.C. § 521(c):

25. Trusts, equitable or future interests in property (other than anything listed in line 1), and rights or powers exercisable for your benefit

☐ No

☒ Yes. Give specific information about them...

Debtor 1 **Scott Rosenberg**

Case number (if known) **1:22-bk-11305-MB**

**Straw and Sack an inter vivos settlement
Contingent Income based on Trustee discretion.
Debtor has received nothing from 2019 forward.**

Unknown

**Jack and Charlotte Rosenberg Trust A and B, as amended
This is pending in probate litigation and is a spendthrift trust. The
property is listed for disclosure but may not be property of the
bankruptcy estate.**

Unknown

**Crystal Stone inter vivos settlement
Distribution is at Trustee's discretion.**

Unknown

26. Patents, copyrights, trademarks, trade secrets, and other intellectual property

Examples: Internet domain names, websites, proceeds from royalties and licensing agreements

☒ No

☐ Yes. Give specific information about them...

27. Licenses, franchises, and other general intangibles

Examples: Building permits, exclusive licenses, cooperative association holdings, liquor licenses, professional licenses

☒ No

☐ Yes. Give specific information about them...

Money or property owed to you?

**Current value of the
portion you own?**
Do not deduct secured
claims or exemptions.

28. Tax refunds owed to you

☒ No

☐ Yes. Give specific information about them, including whether you already filed the returns and the tax years.....

29. Family support

Examples: Past due or lump sum alimony, spousal support, child support, maintenance, divorce settlement, property settlement

☒ No

☐ Yes. Give specific information.....

30. Other amounts someone owes you

Examples: Unpaid wages, disability insurance payments, disability benefits, sick pay, vacation pay, workers' compensation, Social Security benefits; unpaid loans you made to someone else

☒ No

☐ Yes. Give specific information..

31. Interests in insurance policies

Examples: Health, disability, or life insurance; health savings account (HSA); credit, homeowner's, or renter's insurance

☒ No

☐ Yes. Name the insurance company of each policy and list its value.

Company name:

Beneficiary:

Surrender or refund
value:

32. Any interest in property that is due you from someone who has died

If you are the beneficiary of a living trust, expect proceeds from a life insurance policy, or are currently entitled to receive property because someone has died.

☒ No

☐ Yes. Give specific information..

33. Claims against third parties, whether or not you have filed a lawsuit or made a demand for payment

Examples: Accidents, employment disputes, insurance claims, or rights to sue

☒ No

Debtor 1 **Scott Rosenberg**

Case number (if known) **1:22-bk-11305-MB**

☐ Yes. Describe each claim.....

34. Other contingent and unliquidated claims of every nature, including counterclaims of the debtor and rights to set off claims

☒ No

☐ Yes. Describe each claim.....

35. Any financial assets you did not already list

☐ No

☒ Yes. Give specific information..

Reloadable Debit Card with MyVanilla

\$200.00

36. Add the dollar value of all of your entries from Part 4, including any entries for pages you have attached for Part 4. Write that number here.....

\$14,840.35

Part 5: Describe Any Business-Related Property You Own or Have an Interest In. List any real estate in Part 1.

37. Do you own or have any legal or equitable interest in any business-related property?

☒ No. Go to Part 6.

☐ Yes. Go to line 38.

Part 6: Describe Any Farm- and Commercial Fishing-Related Property You Own or Have an Interest In.

If you own or have an interest in farmland, list it in Part 1.

46. Do you own or have any legal or equitable interest in any farm- or commercial fishing-related property?

☒ No. Go to Part 7.

☐ Yes. Go to line 47.

Part 7: Describe All Property You Own or Have an Interest in That You Did Not List Above

53. Do you have other property of any kind you did not already list?

Examples: Season tickets, country club membership

☐ No

☒ Yes. Give specific information.....

UCC secured claim against David Florence

\$3,000.00

54. Add the dollar value of all of your entries from Part 7. Write that number here

\$3,000.00

Part 8: List the Totals of Each Part of this Form

55. Part 1: Total real estate, line 2	\$0.00	
56. Part 2: Total vehicles, line 5	\$19,500.00	
57. Part 3: Total personal and household items, line 15	\$3,226.00	
58. Part 4: Total financial assets, line 36	\$14,840.35	
59. Part 5: Total business-related property, line 45	\$0.00	
60. Part 6: Total farm- and fishing-related property, line 52	\$0.00	
61. Part 7: Total other property not listed, line 54	+	\$3,000.00
62. Total personal property. Add lines 56 through 61...	\$40,566.35	Copy personal property total \$40,566.35
63. Total of all property on Schedule A/B. Add line 55 + line 62		\$40,566.35